

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

In re:

WELLPATH HOLDINGS, INC., *et al.*,<sup>1</sup>

Debtors.

Chapter 11

Case No. 24-90533 (ARP)

(Jointly Administered)

**STIPULATION AND AGREED ORDER  
REGARDING THE UNITED STATES OF AMERICA’S RESPONSE IN OPPOSITION  
TO DEBTORS’ EMERGENCY MOTION FOR ENTRY OF INTERIM AND FINAL  
ORDERS TO ENFORCE THE AUTOMATIC STAY OR IN THE ALTERNATIVE  
EXTEND THE AUTOMATIC STAY TO NON-DEBTOR DEFENDANTS**

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The above-captioned debtors and debtors in possession (collectively, the “Debtors”) and The United States of America (the “Movant” or the “United States,” as applicable, and together with the Debtors, the “Parties”) hereby enter into this stipulation and agreed order (this “Stipulation and Agreed Order”) as follows:

WHEREAS, on March 7, 2023, Martin Vargas brought suit against certain of the Debtors and other defendants (together with the Debtors, collectively, the “Defendants”) in *Martin Vargas v. United States et al.*, No. 5:23-cv-00380-JWH-SP in the U.S. District Court for the Central District of California (the “Lawsuit”);

WHEREAS, in the Lawsuit, Martin Vargas asserts certain claims and causes of action against the Defendants related to the alleged failure to protect Martin Vargas from COVID-19 and alleged tort claims pursuant to the Federal Tort Claims Act (“FTCA”), 28 U.S.C §§ 1346(b), 2671-80;

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<sup>1</sup> A complete list of the Debtors (as defined below) in these chapter 11 cases may be obtained on the website of the Debtors’ claims and noticing agent at <https://dm.epiq11.com/Wellpath>. The Debtors’ service address for these chapter 11 cases is 3340 Perimeter Hill Drive, Nashville, Tennessee 37211.

WHEREAS, the Debtors dispute any and all liability with regard to any of the damages alleged to have been suffered by Martin Vargas;

WHEREAS, on November 11, 2024 (the “Petition Date”), the Debtors filed voluntary petitions for relief under chapter 11 of title 11 of the United States Code (the “Bankruptcy Code”) in the United States Bankruptcy Court for the Southern District of Texas (the “Court”);

WHEREAS, on November 12, 2024, the Debtors filed the *Debtors’ Emergency Motion for Entry of Interim and Final Orders to Enforce the Automatic Stay or in the Alternative Extend the Automatic Stay to Non-Debtor Defendants* [Docket No. 17] (the “Stay Extension Motion”) seeking extension of the automatic stay imposed by section 362(a) of the Bankruptcy Code to Non-Debtor Defendants (as defined in the Stay Extension Motion), and the Court entered the *Amended Interim Order Enforcing the Automatic Stay* [Docket No. 69] (the “Stay Extension Order”) staying all Lawsuits (as defined in the Stay Extension Motion) in their entirety, including claims against the Non-Debtor Defendants, on an interim basis;

WHEREAS, on December 2, 2024, Movant filed the *Response in Opposition to Debtors’ Emergency Motion for Entry of Interim and Final Orders to Enforce the Automatic Stay or in the Alternative Extend the Automatic Stay to Non-Debtor Defendants* [Docket No. 242] (the “Stay Objection”) opposing the relief sought by the Stay Extension Motion;

**NOW, THEREFORE, IT IS STIPULATED AND AGREED:**

1. The Parties agree that the automatic stay imposed by section 362(a) of the Bankruptcy Code and extended to Non-Debtor Defendants does not extend to claims or causes of action against the United States in the Lawsuit.

2. Nothing in this Stipulation and Agreed Order by this Court shall be interpreted to modify the automatic stay as to the Debtors or Defendant GEO Group, Inc., or with respect to any other issue or claims related to the Lawsuit.

3. Entry of this Stipulation and Agreed Order shall resolve the Stay Objection, and any other relief sought in the Stay Objection shall be deemed denied and any other objections shall be deemed overruled.

4. This Court retains exclusive jurisdiction over any matter arising from or related to the implementation, interpretation, and enforcement of this Stipulation and Agreed Order.

Dated: \_\_\_\_\_, 2024  
Houston, Texas

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Alfredo R. Pérez  
UNITED STATES BANKRUPTCY JUDGE

**STIPULATED AND AGREED TO THIS 17<sup>TH</sup> DAY OF DECEMBER, 2024:**

By: /s/ Marcus A. Helt

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